

REMARKS

In response to the Final Office Action mailed March 3, 2010 (hereinafter "Office Action")¹, the response for which is due June 3, 2010, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

I. Status and Disposition of Claims

In the instant application, claims 21-39, 41-45, 47-68, 70-74, 76-97, 99-103, 105-107, and 123-134 are pending. Of the pending claims, claims 21, 50, and 79 are independent. In the Office Action, the following actions were taken:

- Claims 21-39, 41-45, 47-68, 70-74, 76-97, 99-103, 105-107, and 123-125 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. (U.S. Pat. No. 6,021,397 - hereinafter "*Jones*"), in view of Maggioncalda et al. (USPN 5,918,217 - hereinafter "*Maggioncalda*"). See Office Action at pages 2-25.
- Claims 126-134 were objected to as being dependent upon a rejected base claim, but were deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See Office Action at page 25.

II. Amendments

In this Amendment and Response, Applicant amends claims 21, 50, 79, and 126-134. Independent claim 21 has been amended to recite features found in allowable claims 126-128; independent claim 50 has been amended to recite features found in allowable claims 129-131; and independent claim 79 has been amended to recite features found in allowable claims 132-134.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Support for the claim amendments may be found, among other places, in the Specification as filed at page 29, lines 28-30; page 32, lines 26-28; page 33, lines 8-9; and page 36, lines 6-10 and 18-20. These passages, in conjunction with the figures and pending claims, provide written description of the subject matter of the amendments in the amended claims. Thus, no new matter has been introduced by these amendments.

III. Response to Rejections

Applicant gratefully acknowledges the Office Action's statement that claims 126-134 would be allowable is written in independent form including all of the limitations of the base claim and any intervening claims. See Office Action at page 25. In this Office Action, Applicant amends claim 21 to recite that "altering the appearance of the picture comprises at least one of the . . . features" found in allowable claims 126, 127 and 128. Specifically, Applicant amends claim 21 to recite that "altering the appearance of the picture comprises at least one of . . . changing a level of transparency of a display of the picture to reflect an adjusted priority of the one of the remaining goals" (from claim 126), "changing the level of transparency of the display of the picture to reflect an adjusted amount of time expected to achieve the one of the remaining goals" (from claim 127), and "replacing the picture with another picture of the one of the remaining goals and representative of an adjusted expensiveness of the one of the remaining goals" (from claim 128). Amended claims 126-128 continue to recite the different ways of "altering the appearance of the picture."

For all of the foregoing reasons, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 21 under 35 U.S.C. § 103(a) and the objection to claims 126-128. Applicant further requests that rejection of dependent claims 22-39, 41-45, 47-49, and 123, which incorporate all of the limitations of claim 21 by reference, be withdrawn for the same reasons.

Although of different scope, independent claims 50 and 79 recite features similar to claim 21. Applicant has similarly amended claims 50 and 79, and amended claims 129-134 continue to recite the different ways of “altering the appearance of the picture.” For all of the foregoing reasons, Applicant respectfully requests that the Examiner also reconsider and withdraw the rejections of claims 50 and 79 under 35 U.S.C. § 103(a) and the objection to claims 129-134. Applicant further requests that rejection of dependent claims 51-68, 70-74, 76-78, and 124, which incorporate all of the limitations of claim 50 by reference, and the rejection of dependent claims 80-97, 99-103, 105-107, and 125, which incorporate all of the limitations of claim 79 by reference, be withdrawn for the same reasons.

IV. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

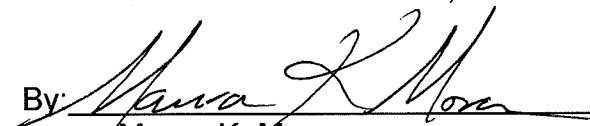
Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: March 26, 2010

By


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